



U.S. Immigration
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Enforcement

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News Release

SAN DIEGO MAN INDICTED FOR CHILD SEX TOURISM, PRODUCING CHILD PORNOGRAPHY ABROAD

Materials featured Filipino youths, but authorities concerned there may be local victims

LOS ANGELES – A retired auditor, who was arrested earlier this month at Los Angeles International Airport (LAX) after a search of his luggage turned up hundreds of sexually explicit images of underage boys, was indicted today for child sex tourism and charges of producing, importing, and possessing child pornography.

Edilberto Datan, 60, was intercepted November 4 by U.S. Customs and Border Protection (CBP) officers at LAX as he returned from a two-month trip to his native country, the Philippines. CBP inspectors contacted U.S. Immigration and Customs Enforcement (ICE) agents after finding three computer memory sticks taped inside a jeans pocket in the San Diego man's luggage. A fourth memory stick was discovered in Datan's digital camera. A review of the material on those memory sticks showed they contained approximately 100 sexually explicit images of Filipino boys who are believed to be underage.



The day following Datan's arrest, ICE agents obtained a federal warrant to search his San Diego home where they seized Datan's collection of child pornography including more than a dozen boxes of images of child erotica and child pornography.

"Those who trade in the exploitation of children should no longer expect distance or the anonymity of cyberspace to protect them," said Michael Unzueta, special agent-in-charge of ICE investigations in San Diego. "ICE is using all of its law enforcement authorities to combat this heinous behavior both here and abroad."

Two of the charges in the four-count indictment against Datan, those involving child sex tourism and producing child pornography abroad, are being brought under provisions of the recently passed PROTECT Act. The PROTECT Act substantially strengthened federal laws against predatory

crimes involving children outside the United States by boosting the penalties in these types of cases and by modifying the burden of proof requirements for federal prosecutors to bring charges.

“One of the sad realities of these cases is that when people go to other countries to prey on poor children they are laboring under the mistaken notion they are outside the reach of the law,” said United States Attorney Debra W. Yang. “Any abuse of children by American citizens is a crime, and we will prosecute pedophiles to the fullest extent of the law.”

According to the case affidavit, when ICE agents questioned Datan about the images, he said the boys were part of a Filipino dance troupe he knew through friends. Datan stated he often attended the boys’ performances and stayed at a nearby hostel. Datan said the boys from the troupe would come to his hostel room following their shows to visit and shower, but he denied having any inappropriate sexual contact with them.

While the images on the seized memory sticks appear to be youths from the Philippines, authorities are concerned there may be victims in Southern California as well. Datan served as a volunteer at a community center in the San Diego area and also reportedly worked with troubled youths.

ICE has reached out to the police departments in Chula Vista, National City, and San Diego to enlist their cooperation in identifying other victims. ICE urges anyone in the community who may have more information related to this case to contact the San Diego Police Department at (619) 531-2000.

Datan is expected to make his initial appearance in United States District Court in Los Angeles Monday. Specifically, he is charged with producing child pornography outside the United States, engaging in illicit sexual conduct in foreign places, transporting child pornography into the United States, and possession of child pornography.

A criminal complaint contains allegations that a defendant has committed a crime. Every defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

Datan’s arrest is part of Operation Predator, an ongoing ICE enforcement initiative launched last year to identify, investigate, arrest and, in the case of foreign nationals, deport child sex predators. Since the initiative began in July 2003, ICE agents have arrested more than 4,400 individuals nationwide, including nearly 1,200 in California. In addition, foreign law enforcement officials acting on ICE leads have arrested more than 860 sexual predators in their respective countries.

ICE

U.S. Immigration and Customs Enforcement is the largest investigative arm of the Department of Homeland Security.